

**11620. Misbranding of canned apricots. U. S. v. 478 Cases \* \* \*. (F. D. C. No. 20850. Sample No. 45836-H.)**

**LABEL FILED:** September 9, 1946, Western District of Texas.

**ALLEGED SHIPMENT:** On or about August 5, 1946, by the Regent Canfood Co., from Alameda, Calif.

**PRODUCT:** 478 cases, each containing 24 1-pound, 4-ounce cans, of apricots at El Paso, Tex.

**LABEL, IN PART:** "Valley Gold Peeled Whole Apricots in Heavy Syrup."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the label failed to bear the name of the optional packing medium present. The label bore the statement "in Heavy Syrup," whereas the article was packed in sirup designated as "Light Sirup" in the definition and standard.

**DISPOSITION:** October 31, 1946. The Safeway Stores, Inc., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

**11621. Misbranding of canned apricots. U. S. v. 400 Cases \* \* \*. (F. D. C. No. 20915. Sample No. 51865-H.)**

**LABEL FILED:** September 24, 1946, District of Minnesota.

**ALLEGED SHIPMENT:** On or about August 14, 1946, by the Colorado Mountain Food Co., from Grand Junction, Colo.

**PRODUCT:** 400 cases, each containing 24 1-pound, 13-ounce cans, of apricots at St. Paul, Minn.

**LABEL, IN PART:** "Mellhorn Brand Rocky Mountain Choice Whole Unpeeled Apricots In Heavy Syrup."

**NATURE OF CHARGE:** Misbranding, Section 403 (g) (2), the article purported to be and was represented as canned apricots, a food for which a definition and standard of identity has been prescribed, and its label failed to bear, as required by the regulations, the name of the optional packing medium present. The label bore the statement "In Heavy Syrup," whereas the article was packed in sirup designated as "Light Sirup" in the definition and standard.

**DISPOSITION:** October 14, 1946. The Hancock-Nelson Mercantile Co., St. Paul, Minn., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency.

**11622. Misbranding of canned apricots. U. S. v. 894 Cases \* \* \*. (F. D. C. No. 21026. Sample Nos. 57135-H, 57136-H, 62981-H.)**

**LABEL FILED:** October 4, 1946, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about August 2, 1946, by the Foster & Wood Canning Co., from Lodi, Calif.

**PRODUCT:** Canned apricots. 290 cases of whole peeled, 302 cases of halves unpeeled, and 302 cases of whole unpeeled at Boston, Mass. Each case contained 24 1-pound, 14-ounce cans.

**LABEL, IN PART:** "A&P Apricots in Heavy Syrup Grade A Whole Peeled [or "Halves Unpeeled," or "Whole Unpeeled"] \* \* \* The Great Atlantic & Pacific Tea Co., New York, N. Y., Distributors."

**NATURE OF CHARGE:** Misbranding, Section 403 (g) (2), the article failed to conform to the definition and standard of identity for canned apricots, since its label failed to bear, as required by regulations, the name of the optional packing medium present in the article. The label bore the statement "in Heavy Syrup," whereas the article was packed in sirup designated as "Light Sirup" in the definition and standard.

**DISPOSITION:** December 6, 1946. The Foster & Wood Canning Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be relabeled under the supervision of the Federal Security Agency.

**11623. Misbranding of canned apricots. U. S. v. 223 Cases \* \* \*. (F. D. C. No. 21028. Sample No. 45837-H.)**